

REMARKS

The above amendments and following remarks are responsive to the points raised in the April 5, 2006 non-final Office Action. Upon entry of the above amendments, Claims 1 and 4-6 will have been amended, Claims 2,3, and 7-16 will have been withdrawn from further consideration as being drawn to a non-elected species, new Claim 17 will have been added, and Claims 1-17 will be pending. No new matter has been introduced. Entry and reconsideration are respectfully requested.

Response to Claim Objections

Claims 1 and 406 have been objected to on the basis of various identified informalities.

Applicants have amended Claims 1 and 4-6 to obviate this objection.

Accordingly, the objection to Claims 1 and 4-6 is not moot and should be withdrawn.

Response to the Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph, on the basis that Claim 1 is “indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” More specifically, the Examiner urges that the phrases “on the one hand” and “on the other hand” render Claim 1 indefinite, and the language of “the event of an impact”, in line 4, lacks sufficient antecedent basis in the claim.

Applicant have amended Claim 1 to obviate this rejection,

Accordingly, the rejection under 35 U.S.C. § 112, second paragraph, is now moot and should be withdrawn.

Response to Rejection under 35 U.S.C. § 102(b)

Claims 1 and 4-5 have been rejected under 35 U.S.C. § 102(b) as being unpatentable over US Patent 6,190,030 to Chase. Applicants traverse this rejection.

Independent Claim 1 has been amended to recite, inter alia, a motor vehicle headlight having an impact member displaceable between a position of use and a deployed position in which the impact member comes into contact with an obstacle during an impact including:

“a safety device able to cause the displacement of the impact member from said position of use to said deployed position prior to impact with the obstacle.”

Applicants respectfully submit that the applied reference of Chase neither teaches nor suggests a motor vehicle headlight as recited in Claim 1 and, in particular, a headlight having a safety device able to cause displacement of an impact member from a position of use to a deployed position prior to impact with an obstacle.

In distinct contrast, the applied reference of Chase discloses a flexible lamp mounting for a headlight of a motor vehicle having a lens 70 mounted to a headlight housing 62 via a resiliently deformable flexure member 90. Alternatively, as disclosed by Chase, the housing 62, itself, can be a resilient deformable flexure member directly attached to the lens 70. Figure 4 of Chase, shows the headlight mounted in a normal position in which the lens 70 is mounted forward into an impact zone. During a low speed bumper impact the resilient deformable flexure member 90 deforms and the lens 70

is forced into the position shown in Figure 6 of Chase. The flexible headlamp mounting of Chase, however, does not include any safety device able to cause displacement of the lens 70 from its normal position, as shown in Figure 4 of Chase, to the impact position prior to impact with an obstacle, as shown in Figure 6 of Chase. The lens 70 only changes position from that shown in Figure 4 to the position shown in Figure 6 only during an impact and not prior to an impact as does Applicant's headlight, as recited in Claim 1. As such, the subject matter recited in independent Claim 1, as well as dependent Claims 4-6, is distinguished over the disclosure of Chase.

Newly added Claim 17 is distinguished over the applied reference of Chase in that the impact member, recited in newly added Claim 17, is displaceable by the safety device from a position of use to a projected and deployed position toward an obstacle of impact. As shown in Figures 4 and 6 of Chase, the lens 70 is deflected by the impact force of the impact object from the normal position, as shown in Figure 4, to the impact position, as shown in Figure 6. Movement of the lens 70 of Chase from the normal position to the impact position occurs only (1) as a result of the impact between lens 70 and the impact object and (2) in a direction away from the impact object. As such, the subject matter of newly added Claim 17 is distinguished over the applied reference of Chase.

Accordingly, the rejection under 35 U.S.C. § 102(b) should be withdrawn.

Allowable Subject Matter

Claim 6 has been "objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Applicants have amended original dependent Claim 6 by placing it in independent form and including the limitations of base Claim 1 and intervening Claims 4 and 5.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1948-4815.

Respectfully submitted,
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